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BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
GARY LABARBERA and FRANK FINKEL,
Trustees of Local 282 International Brotherhood
of Teamsters Welfare, Pension, Annuity, Job
Training and Vacation Sick Leave Trust Funds,

Plaintiffs,

-against-

EMPIRE STATE TRUCKING, INC.,

Defendant.
-----X

JUDGMENT
07-CV- 0669 (SJ)

A Memorandum and Order of Honorable Sterling Johnson Jr., United States District Judge, having been filed on March 19, 2008, adopting and affirming the Report and Recommendation of Magistrate Judge Roanne L. Mann, dated February 26, 2008, after a *de novo* review of the record; directing the Clerk of Court to enter judgment awarding plaintiffs unpaid principal of \$103,900.17 from the period of August 2006 through May 2007; (b) interest at a rate of 18% from August 1, 2006 to May 31, 2007 on the unpaid principal through the date of entry of judgment; (c) liquidated damages of \$30,010.14; (d) attorney's fees of \$6,838.50; and (e) reasonable costs of \$485.03; and denying plaintiffs' request for injunctive relief; it is

JUDGMENT
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ORDERED and ADJUDGED that the Report and Recommendation of Magistrate Judge Roanne L. Mann is adopted and affirmed in its entirety; that judgment is hereby entered in favor of plaintiffs, Gary LaBarbera and Frank Finkel, Trustees of Local 282 International Brotherhood of Teamsters Welfare, Pension, Annuity, Job Training and Vacation Sick Leave Trust Funds, and against defendant, Empire State Trucking, Inc., awarding plaintiffs unpaid principal of \$103,900.17 from the August 2006 through May 2007; (b) interest on the unpaid principal at a rate of 18% from August 1, 2006 to May 31, 2007 in the amount of \$30,589.35; (c) liquidated damages of \$30,010.14; (d) attorney's fees of \$6,838.50; and (e) reasonable costs of \$485.03, for a total judgment of \$171,826.19; and that it is further,

ORDERED and ADJUDGED that plaintiffs' request for injunctive relief is denied.

Dated: Brooklyn, New York
March 21, 2008

ROBERT C. HEINEMANN
Clerk of Court